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1/2/03

Paul Y. Feng

*Paul Y. Feng*

Registration No. 35,510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Inventor: Pacetti et al.

Serial No.: 10/034,715

Filed: December 26, 2001

For: MRI COMPATIBLE GUIDE  
WIRE

) Examiner: Unknown

) Group Art No.: 3739

) Docket No.: ACS-58289 (2709P)

) JAN. 2, 2003  
) Los Angeles, California

AMENDMENT AND PETITION TO CORRECT  
INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner For Patents  
Washington, DC 20231-9998

Dear Sir:

This Amendment and Petition is filed in order to correct the incorrect original naming of inventors in the Declaration filed December 26, 2001. It is requested that DOUGLAS H. GESSWEIN and EMMANUEL C. BIAGTAN be added as Inventors of this application. The residence address of DOUGLAS H. GESSWEIN is 40840 Via Los Altos, Temecula, California 92591 and the residence address of EMMANUEL C. BIAGTAN is 43001 Manchester Court, Temecula, California 92592. The application was filed omitting the names of DOUGLAS H. GESSWEIN and EMMANUEL BIAGTAN through error, and without any deceptive intention on their part.

TECHNOLOGY CENTER R3700

JAN 09 2003

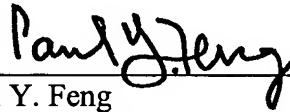
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An executed Declaration by each of the actual inventors as required under 37 C.F.R. § 1.63 is provided herein. Also provided is a written statement from the assignee of the original named inventors assenting to the correction of inventorship.

A check in the amount of \$130.00 is enclosed to cover the fee set forth in 37 C.F.R. § 1.17(i). The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-2425. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP



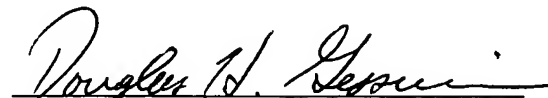
Paul Y. Feng  
Reg. No. 35,510  
Attorneys for Applicant

PYF:DRP/vbd

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, California 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24,201

DEC 16, 2002  
Date

Dec 16, 2002  
Date

  
DOUGLAS H. GESSWEIN  
Inventor  
EMMANUEL C. BIAGTAN  
Inventor

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TECHNOLOGY CENTER R3700

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Registration No. 35,510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Inventor: Pacetti et al.

Serial No.: 10/034,715

Filed: December 26, 2001

For: MRI COMPATIBLE GUIDE  
WIRE

) Examiner: Unknown

) Group Art No.: 3739

) Docket No.: ACS-58289 (2709P)

) JAN. 2, 2003  
) Los Angeles, California

ASSENT OF ASSIGNEE TO CORRECTION OF  
INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner For Patents  
Washington, DC 20231-9998

Dear Sir:

I, Thomas R. Peterson, having the authority to act on behalf of Assignee, ADVANCED CARDIOVASCULAR SYSTEMS, INC., hereby assent to the correction of inventorship filed herewith which adds DOUGLAS H. GESSWEIN and EMMANUEL C. BIAGTAN as inventors. Assignee herein submits a statement under 37 C.F.R. § 3.73(b) establishing its ownership in the subject application.

Respectfully submitted,

  
Thomas R. Peterson

Vice President, Secretary and General Counsel  
ADVANCED CARDIOVASCULAR SYSTEMS, INC.

PYF:DRP/vbd  
6060 Center Drive, Tenth Floor  
Los Angeles, California 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24,201  
[258580.1]

JAN 09 2003

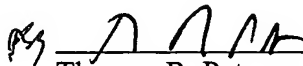
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ASSIGNEE CERTIFICATION UNDER 37 CFR 3.73(b)

For submissions on behalf of ADVANCED CARDIOVASCULAR SYSTEMS, INC., the undersigned, whose title is provided below, is empowered to act on behalf of the Assignee. In accordance with 37 CFR 3.73(b) the Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's information, knowledge and belief, title is in the Assignee seeking to take this action. ADVANCED CARDIOVASCULAR SYSTEMS, INC. a California corporation, having a place of business at 3200 Lakeside Drive, Santa Clara, California 95054, states that it is the Assignee and owner of 100 percent interest in U.S. Application No. 10/034,715, filed December 26, 2001, as recorded at reel 012433, Frame 0556.

Date: DEC 20 2002

\_\_\_\_\_

Thomas R. Peterson  
Vice President, Secretary and General Counsel  
ADVANCED CARDIOVASCULAR SYSTEMS, INC.

FULWIDER PATTON LEE & UTECHT, LLP  
Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Tele. No. (310) 824-5555  
Facsimile No. (310) 824-9696

[258580,1]



DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, mailing addresses, and citizenship are as stated below next to our names.

We believe we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MRI COMPATIBLE GUIDE WIRE the specification of which (check one)

\_\_\_\_\_ is attached hereto  
X was filed on December 26, 2001  
Application Serial No. 10/034,715  
and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

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JAN 09 2003  
TECHNOLOGY CENTER R3700

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) specifically referred to above.

We acknowledge the duty to disclose information which is material patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

		Foreign Filing Date	Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>MM/DD/YYYY</u>	<u>Yes</u>	<u>No</u>
NONE				

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below:

<u>Provisional</u>	<u>Filing Date</u>	
<u>Appln. Serial No.(s)</u>	<u>MM/DD/YYYY</u>	<u>Status (patented, pending, abandoned)</u>
NONE		

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; HOWARD N. SOMMERS, Registration No. 24,138; GUNTHER O. HANKE, Registration No. 32,989; and JAMES JUO, Registration No. 36,177. Direct all telephone calls to Paul Y. Feng, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP  
 Howard Hughes Center  
 6060 Center Drive, Tenth Floor  
 Los Angeles, California 90045

Full name of first inventor: STEPHEN D. PACETTI

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2002

Residence: San Jose, California

Citizenship: US

Mailing Address: 4578 Madoc Way  
San Jose, CA 95130

Full name of fifth inventor: DOUGLAS H. GESSWEIN

Inventor's signature: 

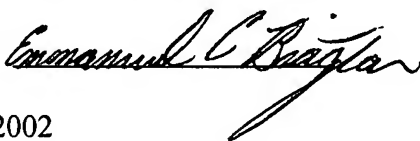
Date: Dec. 16, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 40840 Via Los Altos  
Temecula, CA 92591

Full name of sixth inventor: EMMANUEL C. BIAGTAN

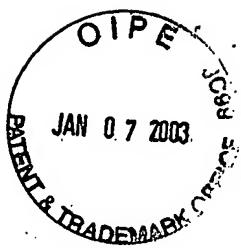
Inventor's signature: 

Date: Dec. 16, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 43001 Manchester Court  
Temecula, CA 92592



DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

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\_\_\_\_\_ is attached hereto  
☒ was filed on December 26, 2001  
Application Serial No. 10/034,715  
and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

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## Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	Foreign Filing Date <u>MM/DD/YYYY</u>	Priority Claimed	
			<u>Yes</u>	<u>No</u>
NONE				

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States provisional application(s) listed below:

Provisional <u>Appln. Serial No.(s)</u>	Filing Date <u>MM/DD/YYYY</u>	<u>Status (patented, pending, abandoned)</u>
NONE		

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP  
Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, California 90045

Full name of first inventor: STEPHEN D. PACETTI

Inventor's signature: Stephen Pacetti

Date: Dec 17, 2002

Residence: San Jose, California

Citizenship: US

Mailing Address: 4578 Madoc Way  
San Jose, CA 95130

Full name of fifth inventor: DOUGLAS H. GESSWEIN

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 40840 Via Los Altos  
Temecula, CA 92591

Full name of sixth inventor: EMMANUEL C. BIAGTAN

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2002

Residence: Temecula, California

Citizenship: US

Mailing Address: 43001 Manchester Court  
Temecula, CA 92592